

TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, AUGUST 12, 2014
5:30PM AT TOWN HALL
Approved Minutes

Called to order at 5:30pm

Present: Greg Nelson, Michael Childers, Marty Curry, Jim Patterson, Ham Ross

Staff present: Pete Clark, Kristian Larsen, Lisa Potswald, Michael Dalzell, William Defoe

Public Present: Dick Hoffman, Julie Stryker, Barb With, Nick Nelson, Nate Nelson, Paul Brummer, Red Eldred, Charles Nelson, Susan Flores, Lois Carlson

I. Public Comment A*

Nick Nelson read a self-written letter entitled 'We have a problem' dated August 11, 2014 regarding his being upset of the La Pointe Police Department and its officers.

Barb With spoke in agreement with N. Nelson's comment and also informed the Board that she would like to assist with the Exchange and get more community involvement.

Red Eldred said he would be available to answer any questions on the agenda item XI. B.

Emergency Services: Volunteer Fund Ordinance #2014-06.

II. Town Administrator's Report: Presented by Administrator Clark and placed on file by Unanimous Consent. Discussion included the Alternative Energy Committee moving forward with the development of a solar array and micro-grid, the development of a Law Enforcement Review Panel, and the updating of the personnel policy.

III. Public Works

A. Roads

1. Foreman's Report: presented by Kristian Larsen and placed on file by unanimous consent. Discussion included website issues, Supervisor Curry suggests also looking into the issue when updating the Town website, and the asphalt/ culvert on Penny Lane being repaired by White Construction.

B. Parks

1. Joni's Beach Picnic Shelter rental request by Madeline Island Ferry Line: waive fees: Motion to approve the request for use of Joni's Beach Picnic Shelter by the Madeline Island Ferry Line and waive the fees J. Patterson/ H. Ross. Discussion about how often the fees are waived, maybe the fee schedule needs to be revised, so they don't need to waive it all the time. Security deposits are still to be required. 5 Ayes, Motion Carried.

2. Joni's Beach: future plans: Foreman Larsen prepared some options for improvements/ changes at Joni's Beach. There is a grant available that would greatly offset costs. Suggested changes include a volleyball court, updated playground and pavilion as well as the possibility of a larger dock. Discussion included that this item will need to be revisited to hear public comment prior to making any decisions.

C. MRF

1. MRF Supervisor's Report: discussion mostly on the Exchange. G. Nelson stated that he had originally been in favor of the new location. The exchange should be open again soon with better supervision. Report dated August 9, 2014 placed on file by Unanimous Consent.

D. Airport

1. Airport Hangar #9A: Unpaid 2014 Lease: The lease remained unpaid since the first bill was due in January. Motion to revoke the lease for Airport Hangar 9A between Gene Nelson of Nelson Builders and the Town of La Pointe and to continue on with the appropriate procedure to reclaim lost revenue, M. Curry/ H. Ross, 4 Ayes, 1 Abstain (G. Nelson) Motion Carried.

IV. Committees

A. Planning and Zoning

1. Zoning Administrator's Report: Presented by Lisa Potswald, report dated July 1- July 31, 2014 placed on file by Unanimous Consent.

2. Rob Peterson Certified Survey Map: NW ¼ of SE ¼ of section 32, T. 51 N., R 2 W: Lisa Potswald explained that there was one error, the setbacks on lots 3 and 4 were corrected. Approved by the Town Plan Commission. Motion to approve the Certified Survey Map for Rob Peterson: NW ¼ of SE ¼ of section 32, T. 51 N., R 2 W, H. Ross/ M. Childers, 5 Ayes, Motion Carried.

3. Cell Tower Ordinance #2014-04: First Read: State legislature passed that Cell Tower owners can place towers. This ordinance does not prevent them, but requires notification and fees to be paid to the Town.

B. Harbors: nothing at this time.

C. Winter Transportation Committee

1. Resolution #2014-0812: Creating a Multi-Jurisdictional Winter Transportation Committee: in March of 2014, the Board reestablished the Winter Transportation Committee and appointed members. There was a preliminary resolution at that time. The Resolution #2014-0812 reflects the previous resolution with changes in membership to having a representative from Windsleds Inc. and that the terms are staggered. Discussion included whether a business should be a member when they have a financial interest, though those involved are looking out for the best interest of the public. Motion to rescind the previous Resolution: Creating a Multi-Jurisdictional Winter Transportation Committee, and to approve Resolution #2014-0812: Amended Resolution, M. Curry. J. Patterson, 3 Ayes, 1 opposed (M. Childers, because does not agree with having a business as a member), 1 abstain (H. Ross because he is currently a member of the committee), Motion Carried.

V. Town Hall Administration

A. Budget Report: Motion to approve the Budget Summary Report dated August 11, 2014 and place on file, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

B. Grant Updates: upcoming grants due for New Town transient dock and for Joni's Beach. Research is being done for Alternative Energy micro-grid and for Windsled repair/ replacement.

C. Attractive Nuisance Ordinance #2014-02: First Read: ordinance states that a land owner may be held liable for injuries to children trespassing on the land if the injury is caused by a hazardous object or condition on the land. The ordinance has been recommended by the Town's Attorney, M. Fauerbach. Supervisor Curry discusses the enforcement provisions and wonders if there are other options. Will be on next agenda.

D. Public Nuisance Ordinance #2014-03: First Read: ordinance to regulate for public health and safety reasons. Discussion on the need for a Public Hearing. Item will be on the next agenda.

E. Emergency Management Plan: Rescind old plan (7/24/02), accept revisions/new plan: Motion to rescind former Emergency Management Plan dated July 24, 2002 and accept the newly revised plan, J. Patterson/ H. Ross, 5 Ayes Motion Carried.

F. Propane Contract: Successful Bidder Opposition: La Pointe Gas Inc's proposal was accepted, but the Agreement has not been signed as there is a clause that is unacceptable to bidder. Discussion on whether something can be worked out or should a new round of proposals be accepted. Motion to re-post for proposals for Propane Contract, M. Curry/ J. Patterson, 4 Ayes, 1 Abstain (G. Nelson), Motion Carried.

G. Finance Taxation Ordinance #2014-05 Chapter 40: First Read: Updates/changes in the current Town Ordinance related to the changes in the Accommodation Tax distribution formula. Will be on next agenda.

H. Establishment of Law Enforcement Review Panel pursuant to Wis Stat., 60.56: Resolution #2014-0812A to establish a Law Enforcement review panel. The panel will have authority to review, evaluate, suspend, etc. the police department officials. The panel would consist of at least three people who cannot be elected or appointed officials, or employees of the town. The Town Board would appoint the members, terms to be staggered. Motion to approve Resolution #2014-0812A: Establishing a Law Enforcement Review Panel, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

I. Comprehensive Plan Consideration and Approval: A public hearing was held, minor changes approved by Town Plan Commission and public in attendance. Motion to approve the Updated Comprehensive Plan, J. Patterson/ M. Childers, 5 Ayes, Motion Carried.

VI. Vouchers: Motion to approve vouchers in the amount of \$27,605.73, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

VII. Alternative Claims: Motion to approve Alternative Claims in the amount of \$117,043.14 and \$3,944.21 for the Library, J. Patterson/ M. Curry, 4 Ayes, 1 Abstain (H. Ross), Motion Carried.

VIII. Treasurer's Report: Motion to approve the Treasurer's Cash Summary Report as of July 31, 2014 with a total of \$660,004.99 and a total available checking account balance of \$122,245.52, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

IX. Minutes

A. Regular Town Board Meeting July 22, 2014: Motion to approve minutes as submitted, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

X. Police Department

A. Police Chief's Report: Motion to place report dated August 8, 2014 on file, H. Ross/ M. Curry. Discussion on the informational presentation by the WI Department of Revenue, Alcohol and Tobacco Division- requested by Chief Defoe as a public service. 5 Ayes, Motion Carried.

B. Review of Performance: Chief of Police. Discussion on whether a review would be appropriate/ contradictory after the creation of the Law Enforcement Review Panel. Motion to go into closed session to do a review of the Police Chief, M. Curry/ J. Patterson, 1 Aye (M. Curry), 4 Opposed, Motion Denied.

XI. Emergency Services

A. Fire Chief's Report: Report dated 7/8/14 – 8/11/14 placed on file by Unanimous Consent.

B. Volunteer Fund Ordinance #2014-06: First Read: Ordinance for the Fire Department and Ambulance to hold volunteer funds. Update on which type of account to be stipulated. Will be on next agenda.

XII. Public Comment B:** P. Brummer recommends that changes at Joni's Beach be brought before the Town Plan Commission.

XIII. Lawsuits & Legal Issues

A. Mattingly: Ashland County Case 04CV128: Town to continue and follow through with case.

XIV. Liquor & Operators' Licenses

A. Operator's License

1. Rebecca Olander- Quamme

2. Jon Berg

3. Nicholas Nelson

Motion to approve Operator Licenses for Rebecca Olander- Quamme, Jon Berg, and Nicholas Nelson, M. Curry/ H. Ross, 5 Ayes, Motion Carried.

XV. New Agenda Items for Future Meetings

A. AEC Recommendations

B. Exchange Suggestions

C. Ordinances: Cell Tower, Attractive Nuisance, Public Nuisance, Volunteer Fund

D. Winter Trans Committee members

E. Joni's Beach Changes

F. Website Updates

G. FCC license: Radio Station

XVI. Adjourn at 6:55pm. M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

Submitted by Micaela Montagne, Town Clerk.

Approved as submitted, 8-26-14. Micaela Montagne, Clerk